

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JIT SHI GOH,

Plaintiff,

v.

**COCO ASIAN CUISINE, INC., d/b/a Coco
Malaysian & Thai Cuisine, and FATT
SENG LIM, a/k/a David Lim,**

Defendants.

Civ. No. 2:15-6310 (KM)(MAH)

ORDER & JUDGMENT

IT APPEARING that the plaintiff, Jit Shi Goh, filed a Complaint on August 20, 2015, for claims involving overtime pay under the Federal Labor Standards Act ("FLSA"), 29 U.S.C. § 201, *et seq.*, and the New Jersey State Wage and Hour Law, *NJSA* § 34:11-56a, *et. seq.* (DE 1); and it further

APPEARING that the Summons to the Complaint was returned executed and issued to defendants Coco Asian Cuisine Inc., d/b/a Coco Malaysian & Thai Cuisine, and Fatt Seng Lim, a/k/a David Lim (together, "defendants") on November 11, 2015 (DE 14–17, 22); and it further

APPEARING that defendants' counsel, Oliver Zhou, filed a notice of appearance on September 23, 2015 (DE 3); and it further

APPEARING that defendants filed a motion to dismiss the Complaint on October 12, 2015 (DE 4); and it further

APPEARING that on April 11, 2016 the Court entered an Opinion and Order denying defendants' motion to dismiss (DE 26, 27); and it further

APPEARING that defendants' counsel, Oliver Zhou, filed a renewed motion to withdraw as counsel (DE 52), which Magistrate Judge Hammer granted on May 24, 2017 (DE 59); and it further

APPEARING that on May 24, 2017, Magistrate Judge Hammer ordered the defendants to show cause in writing on or before June 19, 2017 why the Court should not find them in default of the claims alleged against them by

plaintiff for failure to defend this action or comply with the Court's orders and why the Court should not dismiss their counterclaims against plaintiff for failure to prosecute (DE 59); and it further

APPEARING that on May 30, 2017 the plaintiff served the defendants with Magistrate Judge Hammer's May 24, 2017 Order (DE 60); and it further

APPEARING that on June 19, 2017 Magistrate Judge Hammer ordered the defendants to show cause in writing by July 27, 2017 why the Court should not find them in default of the claims alleged against them by plaintiff for failure to defend this action or comply with the Court's orders and why the Court should not dismiss their counterclaims against plaintiff for failure to prosecute (DE 62); and it further

APPEARING that on July 23, 2018 Magistrate Judge Hammer issued a Report and Recommendation for the Clerk of the Court to enter default in plaintiff's favor on its claims against defendants and to dismiss the defendants' counterclaims (DE 65); and it further

APPEARING that the defendants did not file any objections to Magistrate Judge Hammer's July 23, 2018 Report and Recommendation; and it further

APPEARING that on February 22, 2019, I entered an Order adopting Magistrate Judge Hammer's Report and Recommendation in its entirety; and it further

APPEARING that on February 22, 2019 the Clerk of the Court entered default against the defendants; and it further

APPEARING that on June 7, 2019 the plaintiff filed a motion for default judgment (DE 72), as well as an affidavit (DE 73) and memorandum of law (DE 74) in support;

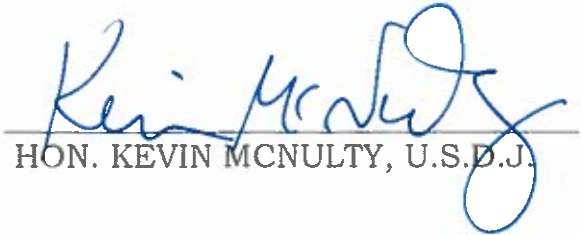
AND THE COURT having reviewed the submissions and calculation of damages;

IT IS this 23rd day of July, 2019,

ORDERED and ADJUDGED that the plaintiff, Jit Shi Goh, have judgment against defendants for compensatory damages related to the overtime

provisions of the FLSA, liquidated damages pursuant to 29 U.S.C. § 216(b), and prejudgment interest; and it is further

ORDERED and ADJUDGED that judgment is entered in a total amount of \$116,299.53.



HON. KEVIN MCNULTY, U.S.D.J.